

AMENDED

Serial No. 53182

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 25 1989
 Returned to applicant for correction MAY 12 1989
 Corrected application filed JUN 06 1989 Map filed JUN 06 1989 under 53181

The applicant James R. Marsh
 2570 Eastern Ave. of Las Vegas
 Nevada 89109
 State and Zip Code No. hereby make S application for permission to change the point of diversion and place of use of a portion of water heretofore appropriated under Permit No. 45061
 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed .65 cfs for a combined total of 100 ac-ft/yr
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for quasi-municipal and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for quasi-municipal and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SW 1/4 SW 1/4 Sec. 2, T.18S. R.49E. M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
 T.18S. R.49E. M.D.B. & M. bears N.70°06'28"W. a distance of 1322.55 feet.
- The existing permitted point of diversion is located within SE 1/4 SW 1/4 Sec. 2 T.18S. R.49E. M.D.B. & M.
If point of diversion is not changed, do not answer.
 or at a point from which the closing corner of Sec. 2 and Sec 11
 T.18S. R.49E. M.D.B. & M. bears S. 87°38'00"W. a distance of 1076.29 feet.
- Proposed place of use SW 1/4 SW 1/4 and a portion of the SE 1/4 SW 1/4 Sec. 2 T.18S. R.49E. M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use SW 1/4 SE 1/4, SE 1/4 SW 1/4 portion SW 1/4 SW 1/4 Sec. 2 T.18S. R.49E. M.D.B. & M. NW 1/4 NE 1/4 and a portion of the NE 1/4 NW 1/4 Sec. 11 T.18S. R.49E. M.D.B. & M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, tank and distribution system
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$30,000.00
- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

200 motel rooms, 400 RV lots and 30,000 sq-ft casino with restaurant and bar. This water will be co-mingled with water transferred from Permit 28062 100 ac-ft/yr combined total.

/s/ James R. Marsh
By..... 2570 Eastern Ave.
Las Vegas, Nv. 89109

Compared..... kh/ pm bp/se

Protested.....

..... APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45061 is issued subject to the terms and conditions imposed in said Permit 45061 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 53181 and 53182 shall not exceed 32.585 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.65 cubic feet per second... but not to exceed 32.35 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 20, 1990

Proof of completion of work shall be filed before..... June 20, 1990

Application of water to beneficial use shall be made on or before..... May 20, 1991

Proof of the application of water to beneficial use shall be filed on or before..... June 20, 1991

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JAN 10 1994 IN TESTIMONY WHEREOF, I..... PETER G. MORROS.....
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this..... 20th day of..... November.....

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19..... 89